

# EXHIBIT A

**COVER SHEET**  
**§522(f) Avoidance of Liens**  
(To summarize information set forth in the motion)

Return Date of Motion January 1, 2019

Debtor(s) Lorraine S. Robinson Debtor's Attorney Michael A. Furlano, Esq. Chapter 7

Date Petition Filed 9/18/2009 Trustee Lucien A. Morin, II Case No. 2-09-22452-JCN

- ☒ §522(f)(1)(A) Avoidance of Judicial Liens which impair the debtor's exemption in real property  
☐ §522(f)(1)(B) Avoidance of non-possessory, non-purchase money liens which impairs the debtor's exemption in certain personal property.

For All Motions

1. (a) General description of property 495 Mt. Read Blvd, ROchester, NY 14606  
(b) Owned by (names and Lorraine S. Robinson  
form of ownership \_\_\_\_\_  
(c) Market value of property \$ 53,100  
(d) Amount of claimed exemption(s) \$ 50,000

For §522(f)(1)(A) Motions Only

2. Signed appraisal, letter valuation or market analysis of real property is attached

☒ Yes

3. Mortgages:

	<u>Holder</u>	<u>Date Recorded</u>	<u>Balance Due</u>
(a)	ESL FCU	4/29/2005	\$1,347.56
(b)	HSBC Mortgage	5/05/2008	\$40,603.00

4. Judgment Liens:

	<u>Holder</u>	<u>Date Docketed</u>	<u>Amount</u>
(a)	Capital One Bank (USA), N.A.	8/20/2009	\$10,170.18
(b)			
(c)			

5. Other Liens (including tax liens):

	<u>Holder</u>	<u>Date Docketed</u>	<u>Amount</u>
(a)			
(b)			

6. No deduction from the appraised value of the property for hypothetical expenses of sale is to be made in determining the debtor's equity.

7. Market value of property \$ 53,100 (-) unavoidable mortgage  
and federal tax liens \$ 41,950.56 (=) equity \$ 11,149.44 (-) exemptions \$ 50,000  
(=) balance if any \$ \_\_\_\_\_.

For §522(f)(1)(B)

8. Holder of lien to be avoided \_\_\_\_\_

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

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In re:

Chapter 7

LORRAINE S. ROBINSON

Debtor.

Notice of Motion to Avoid Liens  
Blk. No: 2-09-22452-JCN

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**NOTICE OF MOTION TO AVOID LIEN**

PLEASE TAKE NOTICE OF THE FOLLOWING MOTION BY DEBTOR:

**TIME:** January \_\_, 2019 at 10:00 A.M.  
Or as soon thereafter as Counsel may be heard

**PLACE:** United States Bankruptcy Court, U.S. Courthouse  
100 State Street, Rochester, NY 14614

**RELIEF SOUGHT:** An Order avoiding the judgment lien of Capital One Bank (USA), N.A.

**PAPERS SUBMITTED:** (1) Notice of Motion, (2) Motion, (3) Exhibits A – E, (4) proposed order

**PURSUANT TO FRBP 9014 AND THE STANDING ORDERS IMPLEMENTING DEFAULT PROCEDURES IN ROCHESTER AND WATKINS GLEN; IF YOU INTEND TO OPPOSE THE MOTION, AT A MINIMUM, YOU MUST SERVE: (1) THE MOVANT AND MOVANT'S COUNSEL, AND (2) IF NOT THE MOVING PARTY (A) THE DEBTOR AND DEBTOR'S COUNSEL; (B) IN A CHAPTER 11 CASE, THE CREDITORS' COMMITTEE AND ITS ATTORNEY, OR IF THERE IS NO COMMITTEE, THE 20 LARGEST CREDITORS; AND (C) ANY TRUSTEE. IN ADDITION, YOU MUST FILE WITH THE CLERK OF THE BANKRUPTCY COURT WRITTEN OPPOSITION TO THE MOTION NO LATER THAN THREE (3) BUSINESS DAYS PRIOR TO THE RETURN DATE OF THE MOTION NOTWITHSTANDING THE DECEMBER 1, 2009 AMENDMENTS TO FRBP 9006(a). IN THE EVENT THAT NO WRITTEN OPPOSITION IS SERVED AND FILED, NO HEARING ON THE MOTION WILL BE HELD ON THE RETURN DATE AND THE COURT WILL CONSIDER THE MOTION UNOPPOSED.**

**Dated:** January \_\_, 2019

/s/ Michael A. Furlano

**Michael A. Furlano, Esq.**  
LEGAL AID SOCIETY OF ROCHESTER, NY  
*Debtor's Attorney*  
One West Main Street, Suite 800  
Rochester NY 14614  
(585) 295-5763

TO: 1. Lucien A. Morin, II 2. Kathleen D. Schmitt 3. Creditors as per  
*Chapter 7 Trustee* *United States Trustee* attached list  
100 State Street, Room 6090  
Rochester, NY 14614

**List of Affected Creditors**

1. **Richard D. Fairbank**  
**Chairman, CEO, and President**  
**Capital One Bank (USA), N.A.**  
**1680 Capital One Drive**  
**McLean, Virginia 22102**
2. **Forster and Garbus**  
**60 Vanderbilt Motor Pkwy**  
**Commack, NY 11725**

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK**

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**In re:**

**LORRAINE S. ROBINSON**

**Debtor.**

**Chapter 7**

**Proposed Motion to Avoid  
Liens**

**Bk. No: 2-09-22452-JCN**

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**MOTION TO AVOID LIENS**

**To: Honorable Paul R. Warren  
United States Bankruptcy Judge**

The debtor, Lorraine S. Robinson, by her attorneys, the Legal Aid Society of Rochester, NY, respectfully represent:

1. Ms. Robinson filed an amended Statement of Financial Affairs on October 1, 2009. Schedules A, C, D, and the Statement of Financial Affairs are annexed as Exhibit A.
2. Ms. Robinson now brings this motion under 11 U.S.C. § 522(f) to avoid the judicial lien against her homestead located at 495 Mt. Read Boulevard, Rochester, NY 14606. Ms. Robinson owns the property by virtue of a warranty deed dated March 5, 1992, and recorded on January 20, 1993 in the Monroe County Clerk's office, in Liber 8298 of Deeds at Page 3. (Exhibit B).
3. The judgment lien totals \$10,170.18. (Exhibit C).
4. The property's fair market value at the time of filing is \$53,100. It is unknown how Ms. Robinson substantiated the property's value at filing, but customary practice at the Legal Aid Society is to obtain a property appraisal. Here, because Ms. Robinson needs to show the property's value as of September 18, 2009, she submits a Comparative Market Analysis prepared by her current real estate agent. (Exhibit D). That analysis provides

two market prices: (1) the price based on average sales in 2009 is \$49,889, and (2) the price based on square footage in 2009 is \$58,240. While the CMA does not specify an exact market value, it supports Ms. Robinson's 2009 valuation of \$53,100.

### **Judgment Lien**

5. The following judgment was taken against the Ms. Robinson and are judgment liens against her residence in the Monroe County Clerk's office:

<u>Holder</u>	<u>Docket Date</u>	<u>Amount</u>	<u>Index No.</u>
Capital One Bank (USA), NA.	8/20/2009	\$10,170.18	2009 CV 5764 (Exhibit C)

6. Capital One Bank (USA), N.A.'s judgment lien is for \$10,170.18. It is an avoidable judicial lien within the purview of 11 U.S.C § 522(f) because it impairs the Debtor's interest in the exempt portion of the property.
7. Ms. Robinson's Schedule A lists the residence's value at \$53,100. Schedule D lists two secured debts:
- a. ESL FCU line of credit with a claim of \$1,347.56, and
  - b. Wells Fargo Home Mortgage with a claim of \$40,603.

At the time of filing, Ms. Robinson had \$11,149.44 in equity in the residence. Schedule C claims a homestead exemption in the amount of \$50,000 pursuant to NY CPLR § 5206(a) which exceeds Ms. Robinson's equity in the residence. The Statement of Financial Affairs lists the judgment lien of Capital One Bank (USA), N.A. against Lorraine S. Robinson in the amount of \$10,170.18.

**WHEREFORE**, the Debtor requests an Order against the judgment creditor Capital One Bank (USA), N.A. cancelling and avoiding the judicial lien in its entirety, and directing the Monroe County Clerk's Office to cancel such judgment as of record and for such other and further relief as is just.

**Dated: January 3, 2018**

**/s/ Michael A. Furlano**

**Michael A. Furlano, Esq.**

*Attorney for Debtor*

LEGAL AID SOCIETY OF ROCHESTER, NY

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Rochester, NY 14614

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mfurlano@lasroc.org

# EXHIBIT A



In re Lorraine Susan Robinson

Case No. \_\_\_\_\_

Debtor

**SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

**Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
Location: 495 Mt. Read Boulevard, Rochester NY Single family home	Fee simple	-	53,100.00	41,950.56

Sub-Total > **53,100.00** (Total of this page)

Total > **53,100.00**

0 continuation sheets attached to the Schedule of Real Property

(Report also on Summary of Schedules)

Case 2-09-22452-JCN, Doc 1, Filed 09/18/09, Entered 09/18/09 12:04:49,  
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Best Case Bankruptcy

Case 2-09-22452-PRW, Doc 24-2, Filed 01/03/19, Entered 01/03/19 15:06:38,  
Description: Exhibit Proposed Motion to Avoid Lien, Page 9 of 50

In re Lorraine Susan Robinson

Case No. \_\_\_\_\_

Debtor

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**Debtor claims the exemptions to which debtor is entitled under:  
(Check one box)

- ☐ 11 U.S.C. §522(b)(2)  
☒ 11 U.S.C. §522(b)(3)

☐ Check if debtor claims a homestead exemption that exceeds  
 \$136,875.

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
<b><u>Real Property</u></b>			
<b><u>Location: 495 Mt. Read Boulevard, Rochester NY</u></b> Single family home	NYCPLR § 5206(a)	50,000.00	53,100.00
<b><u>Household Goods and Furnishings</u></b>			
<b><u>Living Room: 6 foot sofa, 3 foot loveseat, chair, coffee table, end table, 2 lamps, 1 27" tube television, 1 radio with CD player</u></b>	NYCPLR § 5205(a)(5)	660.00	660.00
<b><u>Kitchen: table, chairs (6), refrigerator, stove, 12 pots and frying pans, bowls/dishes/glasses (set), cooking utensils (set)</u></b>	NYCPLR § 5205(a)(5)	533.00	533.00
<b><u>Bedroom: 2 beds (1 king, 1 twin), 2 dressers, 1 chest of drawers, 3 night tables (wood)</u></b>	NYCPLR § 5205(a)(5)	460.00	460.00
<b><u>Miscellaneous: 1950s sewing machine</u></b>	NYCPLR § 5205(a)(1)	20.00	20.00
<b><u>Books, Pictures and Other Art Objects; Collectibles</u></b>			
<b><u>5 computer books</u></b>	NYCPLR § 5205(a)(2)	30.00	30.00
<b><u>Wearing Apparel</u></b>			
<b><u>Clothing</u></b>	NYCPLR § 5205(a)(5)	400.00	400.00
<b><u>Automobiles, Trucks, Trailers, and Other Vehicles</u></b>			
<b><u>Buick LeSabre 58711 miles fair condition</u></b>	Debtor & Creditor Law § 282(1)	2,400.00	2,340.00
<b><u>Animals</u></b>			
<b><u>Dog</u></b>	NYCPLR § 5205(a)(4)	10.00	10.00

Total: **54,513.00** **57,553.00**

0 continuation sheets attached to Schedule of Property Claimed as Exempt

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Case 2-09-22452-PRW, Doc 24-2, Filed 01/03/19, Entered 01/03/19 15:06:38, Description: Exhibit Proposed Motion to Avoid Lien, Page 10 of 50



**United States Bankruptcy Court**  
**Western District of New York**

In re Lorraine Susan Robinson

Debtor(s)

Case No. 2-09-22452Chapter 7

**STATEMENT OF FINANCIAL AFFAIRS - AMENDED**

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

**DEFINITIONS**

**"In business."** A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

**"Insider."** The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

**1. Income from employment or operation of business**

None  
☐

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
\$730.00	2009 YTD: Debtor Employment Income
\$3,986.00	2008: Debtor Employment Income
\$1,814.00	2007: Debtor Employment Income

## 2. Income other than from employment or operation of business

None ☐ State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
\$10,314.00	2009 YTD: Social Security Disability
\$12,996.00	2008: Social Security Disability
\$12,708.00	2007: Social Security Disability

## 3. Payments to creditors

None ☐ Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
Wells Fargo Home Mortgage, Inc. 3476 Stateview Blvd. Fort Mill, SC 29715	7/09, 8/09, 9/09	\$1,465.20	\$42,397.00

None ☒ b. *Debtor whose debts are not primarily consumer debts:* List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS/ TRANSFERS	AMOUNT PAID OR VALUE OF TRANSFERS	AMOUNT STILL OWING
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None ☒ c. *All debtors:* List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR	DATE OF PAYMENT	AMOUNT PAID	AMOUNT STILL OWING
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## 4. Suits and administrative proceedings, executions, garnishments and attachments

None ☐ a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
Capital One Bank (USA), N.A. against Lorraine S. Robinson Index No. B2009020049	Judgment	Rochester City Court 99 Exchange Boulevard Rochester, NY 14614	Judgment Granted in amount of 10,170.18

- None ☐ b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED	DATE OF SEIZURE	DESCRIPTION AND VALUE OF PROPERTY
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#### 5. Repossessions, foreclosures and returns

- None ☐ List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
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#### 6. Assignments and receiverships

- None ☐ a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
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- None ☐ b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
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#### 7. Gifts

- None ☐ List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
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#### 8. Losses

- None ☐ List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
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### 9. Payments related to debt counseling or bankruptcy

None ☐ List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
Legal Aid Society of Rochester(The) 1 West Main St. Suite 800 Rochester, NY 14614	5/26/09	\$341
Consumer Credit Counseling Services 50 Chestnut Plaza Rochester, NY 14604	6/15/09	\$50

### 10. Other transfers

None ☒ a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
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None ☒ b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER DEVICE	DATE(S) OF TRANSFER(S)	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY
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### 11. Closed financial accounts

None ☐ List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
ESL Federal Credit Union Att: Janet Burt, LSD 100 Kings HWY., S. Suite 1200 Rochester, NY 14617-9974	Checking Account xxxx6433	Closeout Withdrawal on 6/8/09

**12. Safe deposit boxes**

- None ☐ List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
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**13. Setoffs**

- None ☐ List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
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**14. Property held for another person**

- None ☐ List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
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**15. Prior address of debtor**

- None ☐ If the debtor has moved within **three years** immediately preceding the commencement of this case, list all promises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS	NAME USED	DATES OF OCCUPANCY
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**16. Spouses and Former Spouses**

- None ☐ If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

**17. Environmental Information.**

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

- None ☐ a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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- None ☐ b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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- None ☐ c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT	DOCKET NUMBER	STATUS OR DISPOSITION
---------------------------------------	---------------	-----------------------

#### 18 . Nature, location and name of business

- None ☐ a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

*If the debtor is a partnership*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

*If the debtor is a corporation*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

NAME	LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
------	--	---------	--------------------	----------------------------

- None ☐ b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME	ADDRESS
------	---------

# EXHIBIT B

THIS IS NOT  
A BILL

**COUNTY OF MONROE**  
COUNTY CLERK'S RECORDING PAGE

THIS IS YOUR  
RECEIPT

RETURN TO:

*Michael Considine*  
*309 Harrison Temple*  
*Blair*  
*Blair, N.Y. 14760*

INDEX DEED  
BOOK 8298 PAGE 530  
NO. PAGES 3  
INSTRUMENT DEED

OR ROBINSON, LLOYD W  
EE ROBINSON, LORRAINE S

MORTGAGE TAX

FILING FEE 35.00  
3 PAGE FEE 9.00  
TRANSFER FEE .00  
AFFIDAVIT FEE 6.00  
CAP GAINS FEE .00  
MISC FEE .00  
TOTAL 50.00

SERIAL # \_\_\_\_\_  
CITY/TOWN \_\_\_\_\_  
S.M.A. \_\_\_\_\_  
TRANS. AUTH. \_\_\_\_\_  
TOTAL \_\_\_\_\_

.00+ CSH: .00 CHK: 50.00  
CASHIER: ROSENTHAL, JANE

PAID AT RECORDING

STATE OF NEW YORK  
COUNTY OF MONROE ss:

TRANSFER TAX

RECORDED ON 01/20/93 AT 16:26:01  
BOOK 8298 PAGE 530 OF DEED

TRANSFER TAX 10.410  
AMOUNT .00

PATRICIA L. MCCARTHY  
MONROE COUNTY CLERK

PAID AT RECORDING

**This Indenture,**

March

Nineteen Hundred and Ninety two

Made the 5th

day of

Between

LLOYD W. ROBINSON, residing at 495 Mt. Read Boulevard,  
Rochester, New York 14606

party of the first part, and

LORRAINE S. ROBINSON, residing at 495 Mt. Read Boulevard,  
Rochester, New York 14606

Witnesseth that the party

of the first part, in consideration of

One and no/100-----

Dollar (\$1.00 )

lawful money of the United States, and other good and valuable consideration  
paid by the party of the second part, do es hereby remise, release and quitclaim  
unto the party of the second part, his heirs and assigns forever, all

THAT TRACT OR PARCEL OF LAND situate in the City of Rochester, County of Monroe, New York, known and described as the westerly portion of Lot Nos. 130 and 131 as shown upon a map of "West Blvd." a subdivision of part of Town Lot No. 84, formerly in the Town of Gates, filed in Monroe County Clerk's Office in Liber 22 of Maps, page 23; said westerly portions of Lots 130 and 131 being situate on the west side of Mt. Read Boulevard (formerly Field Road) each front 40 feet thereon, being 40 feet in rear and 102.25 feet in depth.

Also quitclaiming all the right, title and interest of the party of the first part in and to the easterly 5.13 feet of the unnamed alley adjoining the above lots on the west as shown on the map filed in Liber 22 of Maps, page 23. Said alley was abandoned by City Ordinance No. 54-433.

Intending to convey a parcel being 80 feet wide-fronting on Mt. Read Boulevard 80 feet in the rear and 107.38 feet in depth on the north and south lines.

This conveyance is subject to all easements, covenants and restrictions of record affecting said premises, if any.

Being the same premises conveyed to party of the first part by deed dated July 11, 1986 and recorded in the Monroe County Clerk's Office on July 23, 1986 in Liber 6940 of Deeds at page 18.

The consideration for this transfer is less than \$100.00.

Tax Account No: 105-780-01-050  
105-780-01-050

Tax Mailing Address: 495 Mt. Read Boulevard  
Rochester, New York 14606

MONROE COUNTY CLERK

1993 JAN 20 P 4:26


RECORDED

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

To have and to hold the premises herein granted unto the party of the second part, his heirs and assigns forever.

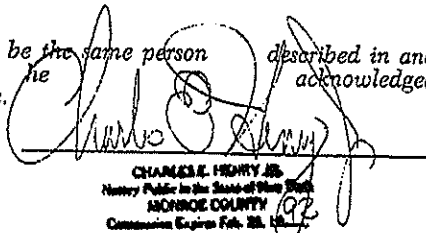
In Witness Whereof, the party of the first part has hereunto set his hand and seal the day and year first above written.

In Presence of

  
LLOYD W. ROBINSON

State of New York } ss. On this 20th day of July  
County of Monroe } Nineteen Hundred and 92  
before me, the subscriber, personally appeared Lloyd W Robinson

to me personally known and known to me to be the same person described in and  
who executed the within Instrument, and he acknowledged  
to me that he executed the same.

  
CHARLES E. HENRY, JR.  
Notary Public in the State of New York  
MONROE COUNTY  
Commission Expires Feb. 28, 1992

State of New York } ss. On this day of  
County of }  
before me, the subscriber, personally appeared

to me personally known and known to me to be the same person described in and  
who executed the within Instrument, and he acknowledged  
to me that he executed the same.

**Beed**

Quit Claim

LLOYD W. ROBINSON

TO

LORRAINE S. ROBINSON

Dated, July 20, 1992

MICHAEL K. CONSEDINE, ESQ.  
310 Masonic Temple Bldg.  
Olean, New York 14760

# EXHIBIT C

MONROE COUNTY CLERK'S OFFICE  
ROCHESTER, NY

Return To:

Receipt # 227087

Index JUDGMENTS

Book Page

No. Pages : 2

Instrument TRANSCRIPT OF JUDGMENT

Date : 08/20/2009

Time : 09:43:13AM

Control # 200908200287

CAPITAL ONE BANK USA NA

ROBINSON, LORRAINE S

Index # B2009020049

Employee : DianeA

COUNTY FEE MISCELLANEOUS \$ 10.00

Total \$ 10.00

State of New York

MONROE COUNTY CLERK'S OFFICE

CHERYL DINOLFO  
MONROE COUNTY CLERK



2009 CV 5764

FILED  
2009 AUG 20 AM 9:43  
MONROE COUNTY CLERK  
SE  
EM

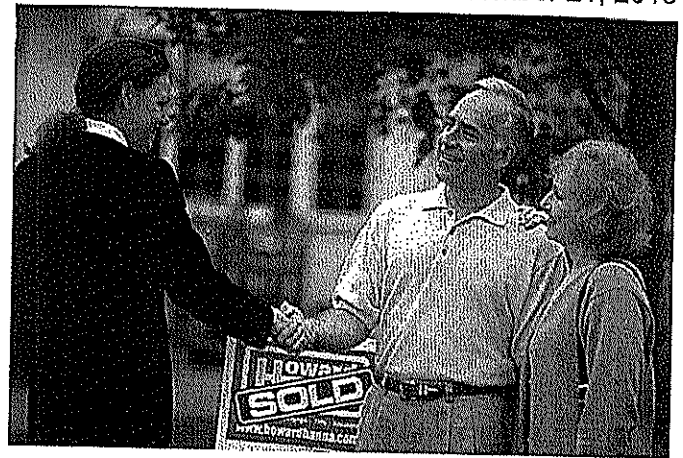
mony Whereof, I have hereunto set my name and affixed my official seal this 3 day of August, 2009.

Case 2:09-cv-02245-PRW Doc 24-2 Filed 01/03/19 Entered 01/03/19 15:06:38  
Description: Exhibit Proposed Motion to Avoid Lien, Page 24 of 50



# EXHIBIT D

December 21, 2018



Prepared for:

**Michael Furlano**

495 Mount Read Blvd, Rochester, NY 14606



**Karolyn Edwards**

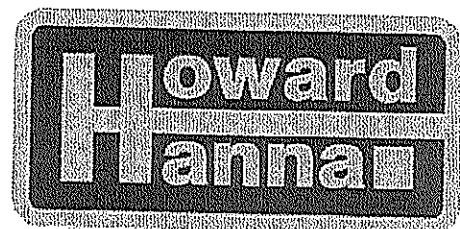
Lic. RE Salesperson

Gates

2170 Chili Ave

Rochester, NY 14624

(585) 773-5980



**Real Estate Services**

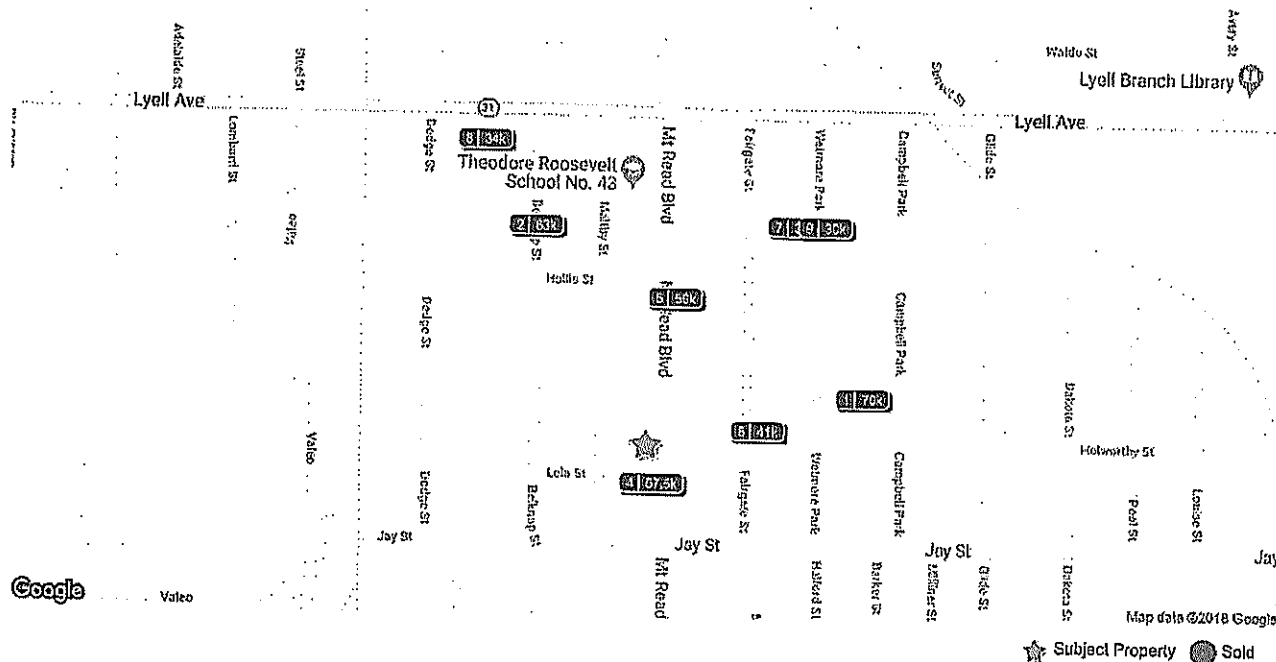
## Property Summary



**Michael Furlano**  
495 Mount Read Blvd, Rochester, NY 14606

**Bedrooms:** 3  
**Bathrooms:** 1  
**Square Feet:** 1,414  
**Property Type:** Single-Family  
**Year Built:** 1920

# Listing Location Map



## ★ Subject Property

495 Mount Read Blvd, Rochester

Price

Beds

Baths

Days

SqFt

\$/SqFt

3

1

1,414

## ● Sold Properties

Sale Price

Beds

Baths

Days

SqFt

\$/SqFt

1. 94 Wetmore Park, Rochester

\$70,000

3

2

10

1,512

\$46

2. 267 Belknap Street, Rochester

\$63,000

2

1.2

14

1,481

\$43

3. 67 Fairgate Street, Rochester

\$62,000

4

1

30

1,237

\$50

4. 46 Maltby Street, Rochester

\$57,500

2

1

7

1,132

\$51

5. 591 Mt. Read Boulevard, Rochester

\$56,000

2

1

2

948

\$59

6. 67 Fairgate Street, Rochester

\$41,000

4

1

1

1,237

\$33

7. 192 Fairgate Street, Rochester

\$35,500

2

1

71

1,008

\$35

8. 1431 Lyell Avenue, Rochester

\$34,000

3

1

21

1,232

\$28

9. 193 Wetmore Park, Rochester

\$30,000

3

1

12

1,158

\$26

Karolyn Edwards  
Gates

karolynedwards@howardhanna.com  
(585) 773-5980

# Listing Overview



Listing Courtesy of: NYS ALLIANCE

**SOLD**

**\$70,000**

**1. 94 Wetmore Park, Rochester, NY  
14606**

## Status/Price:

Status: Sold  
List Price: \$74,900  
% Of List Price: 93%

Days: 10  
Original List Price: \$74,900  
Sold Date: 11/16/2009

\$/SqFt: \$46  
Sold Price: \$70,000

## Listing Detail:

Bedrooms: 3  
Building Style: Colonial  
County: Monroe County  
MLS #: R924048

Bathrooms: 2  
Square Feet: 1,512  
Tax Amount: \$2,396  
Subdivision: Wetmores Armd

Property Type: Residential  
Year Built: 1926  
HOA Dues: \$0  
School District: Rochester

## Features:

Kitchen: Eat-In, Formal  
Dining Room,  
Pantry Disposal,  
Dryer,  
Oven/Range  
Electric, Range  
Hood-Exhaust  
Fan, Refrigerator,  
Washer

Basement: Full  
Garage: 2

Fireplace: 1  
Heat/AC: Gas, Forced Air,  
Humidifier  
Floors: Ceramic-Some,  
Hardwood-Some,  
Resilient-Some,  
Wall to Wall  
Carpet-Some

Exterior: Aluminum/Steel  
Senior Community: No

## Description:

Character & Charm Fills This Well Maintained Colonial! Huge Family Room/With One Of Two Full Baths/With Sliding Glass Doors That Lead To A Large Covered Porch/Patio, Spacious 2 Car Detached Garage!!! Gas Fireplace!!! Updated Mechanics & New Architectural Roof! All Appliances Included!!! Hurry Before Its' Gone!!!

All information provided is deemed reliable but is not guaranteed and should be independently verified.

Karolyn Edwards  
Gates

karolynedwards@howardhanna.com  
(585) 773-5980

## Listing Overview



Listing Courtesy of: NYS ALLIANCE

**SOLD**

**\$63,000**

**2. 267 Belknap Street, Rochester, NY  
14606**

### Status/Price:

Status: Sold  
List Price: \$66,500  
% Of List Price: 95%

Days: 14  
Original List Price: \$66,500  
Sold Date: 06/26/2009

\$/SqFt: \$43  
Sold Price: \$63,000

### Listing Detail:

Bedrooms: 2  
Building Style: Cape Cod  
County: Monroe County  
MLS #: R905868

Bathrooms: 1.2  
Square Feet: 1,481  
Tax Amount: \$2,687  
School District: Rochester

Property Type: Residential  
Year Built: 1955  
HOA Dues: \$0

### Features:

**Kitchen:** Breakfast Bar,  
Eat-In, Formal  
Dining Room  
Dishwasher,  
Disposal, Dryer,  
Oven/Range  
Gas, Range  
Hood-Exhaust  
Fan, Refrigerator,  
Washer

**Basement:** Finished, Full  
**Garage:** 1

**Fireplace:** 0  
**Heat/AC:** Gas, Forced Air  
**Floors:** Ceramic-Some,  
Hardwood-Some,  
Resilient-Some,  
Wall to Wall  
Carpet-Some

**Exterior:** Vinyl  
**Senior Community:** No

### Description:

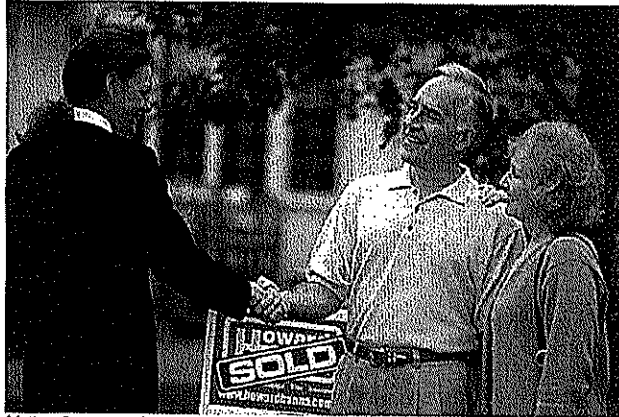
This 6 room cape cod is IMMACULATE: INSIDE & OUT!!! The grounds are SPECTACULAR: an oversized 'L' shaped lot with miniature trees, patio, block garage w/attached workshop & new door, & shed. Inside is even better w/professionally finished basement, 1 full & 2 half baths, den, thermopane windows, & OH so much more!!!

All information provided is deemed reliable but is not guaranteed and should be independently verified.

Karolyn Edwards  
Gates

karolynedwards@howardhanna.com  
(585) 773-5980

## Listing Overview



Listing Courtesy of: NYS ALLIANCE

**SOLD**

**\$62,000**

**3. 67 Fairgate Street, Rochester, NY  
14606**

### Status/Price:

**Status:** Sold  
**List Price:** \$69,900  
**% Of List Price:** 89%

**Days:** 30  
**Original List Price:** \$69,900  
**Sold Date:** 11/02/2009

**\$/SqFt:** \$50  
**Sold Price:** \$62,000

### Listing Detail:

**Bedrooms:** 4  
**Building Style:** Cape Cod  
**County:** Monroe County  
**MLS #:** R921465

**Bathrooms:** 1  
**Square Feet:** 1,237  
**Tax Amount:** \$2,280  
**Subdivision:** WETMORE AMD  
SUB W

**Property Type:** Residential  
**Year Built:** 1950  
**HOA Dues:** \$0  
**School District:** Rochester

### Features:

**Kitchen:** Eat-In,  
Living/Dining  
Combo None  
**Basement:** Full  
**Garage:** 1

**Fireplace:** 1  
**Heat/AC:** Gas, Ac-Central,  
Forced Air  
**Floors:** Resilient-Some,  
Wall to Wall  
Carpet-Some

**Exterior:** Vinyl  
**Senior Community:** No

### Description:

Great Curb Appeal! Vinyl Sided, Huge Fenced Yard, Fire Place, Newer Roof and SOME Newer Windows. All Brand New Carpet, Paint, etc. Move Right In! Easy to show, call lister.

All information provided is deemed reliable but is not guaranteed and should be Independently verified.

Karolyn Edwards  
Gates

karolynedwards@howardhanna.com  
(585) 773-6980

## Listing Overview



Listing Courtesy of: NYS ALLIANCE

**SOLD**

**\$57,500**

**4. 46 Maltby Street, Rochester, NY  
14606**

### Status/Price:

Status: Sold  
List Price: \$59,900  
% Of List Price: 96%

Days: 7  
Original List Price: \$59,900  
Sold Date: 09/02/2009

\$/SqFt: \$51  
Sold Price: \$57,500

### Listing Detail:

Bedrooms: 2  
Building Style: Cape Cod  
County: Monroe County  
MLS #: R914620

Bathrooms: 1  
Square Feet: 1,132  
Tax Amount: \$2,652  
School District: Rochester

Property Type: Residential  
Year Built: 1940  
HOA Dues: \$0

### Features:

Kitchen: Eat-In, Formal  
Dining Room  
Dryer,  
Microwave,  
Oven/Range  
Electric,  
Oven/Range  
Gas,  
Refrigerator,  
Washer

Basement: Finished, Full  
Garage: 2

Fireplace: 1  
Heat/AC: Gas, Ac Unit-  
Wall, Forced Air  
Floors: Wall to Wall  
Carpet-Some

Exterior: Aluminum/Steel  
Senior Community: No

### Description:

HUGE fenced-in lot/garden included with this well-maintained cape cod! Formal dining room, 2nd kitchen in basement, screened-in garage, & more! 1st floor den is possible 3rd bedroom.

All Information provided is deemed reliable but is not guaranteed and should be independently verified.

Karolyn Edwards  
Gates

karolynedwards@howardhanna.com  
(585) 773-5980



## Listing Overview



Listing Courtesy of: NYS ALLIANCE

SOLD

**\$56,000**

5. 591 Mt. Read Boulevard, Rochester, NY  
14606

### Status/Price:

Status: Sold  
List Price: \$59,900  
% Of List Price: 93%

Days: 2  
Original List Price: \$59,900  
Sold Date: 07/15/2009

\$/SqFt: \$59  
Sold Price: \$56,000

### Listing Detail:

Bedrooms: 2  
Building Style: Cape Cod  
County: Monroe County  
MLS #: R910113

Bathrooms: 1  
Square Feet: 948  
Tax Amount: \$2,238  
School District: Rochester

Property Type: Residential  
Year Built: 1955  
HOA Dues: \$0

### Features:

Kitchen: Eat-In  
Dishwasher,  
Disposal,  
Microwave,  
Oven/Range  
Freestanding,  
Refrigerator

Basement: Full  
Garage: 1

Fireplace: 0  
Heat/AC: Gas, Ac-Central,  
Electronic Air  
Filter, Forced Air,  
Humidifier

Floors: Hardwood-Some,  
Resilient-Some,  
Wall to Wall  
Carpet-Some

Exterior: Composition  
Senior Community: No

### Description:

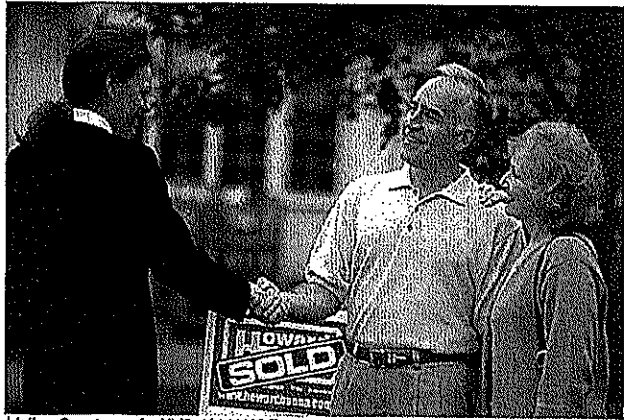
Freshly painted interior! Updated kitchen! Hardwood floors! Breezway for relaxing! Central Air! Very expandable, full attic could be finished for 2 bedrooms.

All information provided is deemed reliable but is not guaranteed and should be independently verified.

Karolyn Edwards  
Gates

karolynedwards@howardhanna.com  
(585) 773-5980

## Listing Overview



Listing Courtesy of: NYS ALLIANCE

SOLD

**\$41,000**

6. 67 Fairgate Street, Rochester, NY  
14606

### Status/Price:

Status: Sold	Days: 1	\$/SqFt: \$33
List Price: \$44,900	Original List Price: \$44,900	Sold Price: \$41,000
% Of List Price: 91%	Sold Date: 06/26/2009	

### Listing Detail:

Bedrooms: 4	Bathrooms: 1	Property Type: Residential
Building Style: Cape Cod	Square Feet: 1,237	Year Built: 1950
County: Monroe County	Tax Amount: \$2,473	HOA Dues: \$0
MLS #: R915098	School District: Rochester	

### Features:

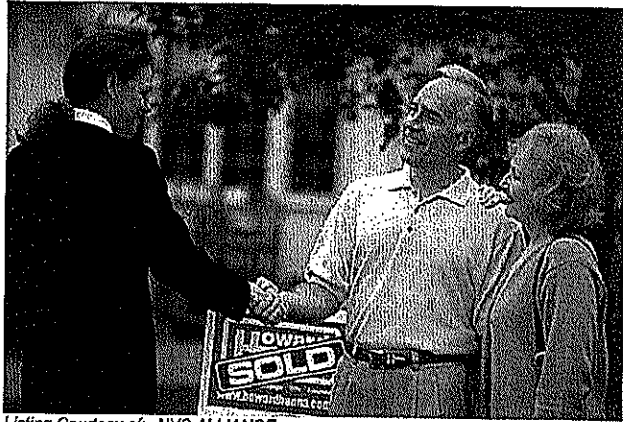
Kitchen: Eat-In, Living/Dining Combo None	Fireplace: 0	Exterior: Vinyl
Basement: Full	Heat/AC: Gas, Ac-Central, Forced Air	Senior Community: No
Garage: 1	Floors: Resilient-Some, Wall to Wall Carpet-Some	

### Description:

Nice House!!! Needs cosmetics - carpet, paint, updates, etc. May have had a freeze-up. Sold as-is. Easy to show, on lockbox - call for combo.

All information provided is deemed reliable but is not guaranteed and should be independently verified.

## Listing Overview



Listing Courtesy of: NYS ALLIANCE

**SOLD**

**\$35,500**

**7. 192 Fairgate Street, Rochester, NY  
14606**

### Status/Price:

Status: Sold  
List Price: \$39,900  
% Of List Price: 89%

Days: 71  
Original List Price: \$44,900  
Sold Date: 04/08/2009

\$/SqFt: \$35  
Sold Price: \$35,500

### Listing Detail:

Bedrooms: 2  
Building Style: Ranch  
County: Monroe County  
MLS #: R900533

Bathrooms: 1  
Square Feet: 1,008  
Tax Amount: \$2,270  
School District: Rochester

Property Type: Residential  
Year Built: 1954  
HOA Dues: \$0

### Features:

Kitchen: Eat-In None  
Basement: Full  
Garage: 0

Fireplace: 1  
Heat/AC: Gas, Ac-Central,  
Forced Air  
Floors: Hardwood-Some,  
Resilient-Some,  
Wall to Wall  
Carpet-Some

Exterior: Brick, Stucco  
Senior Community: No

### Description:

Nice ranch style city home. Great wood floors, updated bath, large living with woodburning fireplace, central air. A pre approval letter or proof of funds is needed with all offers. Seller will not provide abstract or survey.

All information provided is deemed reliable but is not guaranteed and should be independently verified.

Karolyn Edwards  
Gates

karolynedwards@howardhanna.com  
(585) 773-5980

## Listing Overview



Listing Courtesy of: NYS ALLIANCE

**SOLD**

**\$34,000**

**8. 1431 Lyell Avenue, Rochester, NY  
14606**

### Status/Price:

Status: Sold  
List Price: \$39,900  
% Of List Price: 85%

Days: 21  
Original List Price: \$39,900  
Sold Date: 02/13/2009

\$/SqFt: \$28  
Sold Price: \$34,000

### Listing Detail:

Bedrooms: 3  
Building Style: Colonial  
County: Monroe County  
MLS #: R831503

Bathrooms: 1  
Square Feet: 1,232  
Tax Amount: \$2,073  
School District: Rochester

Property Type: Residential  
Year Built: 1920  
HOA Dues: \$0

### Features:

Kitchen: Eat-In, Formal  
Dining Room  
None  
Basement: Full  
Garage: 2

Fireplace: 1  
Heat/AC: Gas, Forced Air,  
Radiant  
Floors: Ceramic-Some,  
Hardwood-Some

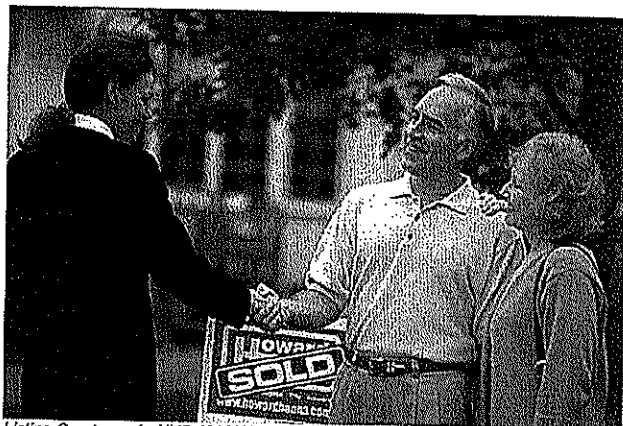
Exterior: Aluminum/Steel  
Senior Community: No

All information provided is deemed reliable but is not guaranteed and should be independently verified.

Karolyn Edwards  
Gates

karolynedwards@howardhanna.com  
(585) 773-5980

## Listing Overview



Listing Courtesy of: NYS ALLIANCE

**SOLD**

**\$30,000**

**9. 193 Wetmore Park, Rochester, NY  
14606**

### Status/Price:

Status: Sold  
List Price: \$35,000  
% Of List Price: 86%

Days: 12  
Original List Price: \$35,000  
Sold Date: 01/25/2009

\$/SqFt: \$26  
Sold Price: \$30,000

### Listing Detail:

Bedrooms: 3  
Building Style: Ranch  
County: Monroe County  
MLS #: R831658

Bathrooms: 1  
Square Feet: 1,158  
Tax Amount: \$2,650  
Subdivision: WETMORES  
AMD

Property Type: Residential  
Year Built: 1900  
HOA Dues: \$0  
School District: Rochester

### Features:

Kitchen: Eat-In, Formal  
Dining Room,  
Living/Dining  
Combo None  
Basement: Full  
Garage: 0

Fireplace: 0  
Heat/AC: Other - See  
Remarks  
Floors: Ceramic-Some,  
Hardwood-Some

Exterior: Aluminum/Steel  
Senior Community: No

### Description:

Not a drive-by! House has been updated! Sunny 1st floor laundry with ceramic tiled flooring! Great floorplan! Spacious Kitchen area. Selling 'as-is'/seller will not supply instrument survey or abstract. Taxes estimated-TBD

All information provided is deemed reliable but is not guaranteed and should be independently verified.

Karolyn Edwards  
Gates

karolynedwards@howardhanna.com  
(585) 773-5980

# Status Comparisons



	Bed	Bath	SqFt	Lot SqFt	List Price	\$/SqFt	Sold Date	Sale Price	% List \$	Adj Price	Days
<b>Subject Property</b>											
* 495 Mount Read Blvd, Rochester	3	1	1,414		-	-	-	-	-	-	-
<b>Sold Properties</b>											
1. 94 Wetmore Park, Rochester	3	2	1,512		\$74,900	\$46	11/16/2009	\$70,000	93%	-	10
2. 267 Belknap Street, Rochester	2	1.2	1,481		\$66,500	\$43	06/26/2009	\$63,000	95%	-	14
3. 67 Fairgate Street, Rochester	4	1	1,237		\$69,900	\$50	11/02/2009	\$62,000	89%	-	30
4. 46 Maltby Street, Rochester	2	1	1,132		\$59,900	\$51	09/02/2009	\$57,500	96%	-	7
5. 591 Mt. Read Boulevard, Rochester	2	1	948		\$59,900	\$59	07/15/2009	\$56,000	93%	-	2
6. 67 Fairgate Street, Rochester	4	1	1,237		\$44,900	\$33	06/26/2009	\$41,000	91%	-	1
7. 192 Fairgate Street, Rochester	2	1	1,009		\$39,900	\$35	04/08/2009	\$35,500	89%	-	71
8. 1431 Lyell Avenue, Rochester	3	1	1,232		\$39,900	\$28	02/13/2009	\$34,000	85%	-	21
9. 193 Wetmore Park, Rochester	3	1	1,158		\$35,000	\$28	01/25/2009	\$30,000	86%	-	12

Karolyn Edwards  
Gates

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# Side by Side Comparisons



Subject Property



Comparable #1



Comparable #2



Comparable #3



Address	495 Mount Read Blvd	94 Wetmore Park	267 Belknap Street	67 Fairgate Street
City, State, Zip	Rochester, NY 14606	Rochester, NY 14606	Rochester, NY 14606	Rochester, NY 14606
Status	-	Sold	Sold	Sold
Bedrooms	3	3	2	4
Bathrooms	1	2	1.2	1
Sqft	1,414	1,512	1,481	1,237
Year Built	1920	1926	1955	1950
Property Type	Single-Family	Residential	Residential	Residential
Building Style	-	Colonial	Cape Cod	Cape Cod
Days on Market	-	10	14	30
List Price	-	\$74,900	\$66,500	\$69,900
Original List Price	-	\$74,900	\$66,500	\$69,900
% Of List Price	-	93%	95%	89%
Sold Price	-	\$70,000	\$63,000	\$62,000
Sold Date	-	11/16/2009	06/26/2009	11/02/2009
\$/SqFt	-	\$46	\$43	\$50
MLS #	-	R924048	R905868	R921465
County	-	Monroe County	Monroe County	Monroe County
Tax Amount	\$0	\$2,396	\$2,687	\$2,280
Subdivision	-	Wetmores Amd	-	WETMORE AMD SUB W
School District	-	Rochester	Rochester	Rochester
Kitchen	-	Eat-In, Formal Dining Room, Pantry Disposal, Dryer, Oven/Range Electric, Range Hood-Exhaust Fan, Refrigerator, Washer	Breakfast Bar, Eat-In, Formal Dining Room Dishwasher, Disposal, Dryer, Oven/Range Gas, Range Hood-Exhaust Fan, Refrigerator, Washer	Eat-In, Living/Dining Combo None
Basement	-	Full	Finished, Full	Full
Garage	-	2	1	1
Fireplace	-	1	0	1
Heat/AC	-	Gas, Forced Air, Humidifier	Gas, Forced Air	Gas, Ac-Central, Forced Air
Floors	-	Ceramic-Some, Hardwood-Some, Resilient-Some, Wall to Wall Carpet-Some	Ceramic-Some, Hardwood-Some, Resilient-Some, Wall to Wall Carpet-Some	Resilient-Some, Wall to Wall Carpet-Some
Exterior	-	Aluminum/Steel	Vinyl	Vinyl

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# Side by Side Comparisons



Subject Property



Comparable #4



Comparable #5



Comparable #6



Address	495 Mount Read Blvd	46 Maltby Street	591 Mt. Read Boulevard	67 Fairgate Street
City, State, Zip	Rochester, NY 14606	Rochester, NY 14606	Rochester, NY 14606	Rochester, NY 14606
Status	-	Sold	Sold	Sold
Bedrooms	3	2	2	4
Bathrooms	1	1	1	1
Sqft	1,414	1,132	948	1,237
Year Built	1920	1940	1955	1950
Property Type	Single-Family	Residential	Residential	Residential
Building Style	-	Cape Cod	Cape Cod	Cape Cod
Days on Market	-	7	2	1
List Price	-	\$59,900	\$59,900	\$44,900
Original List Price	-	\$59,900	\$59,900	\$44,900
% Of List Price	-	96%	93%	91%
Sold Price	-	\$57,500	\$56,000	\$41,000
Sold Date	-	09/02/2009	07/15/2009	06/26/2009
\$/SqFt	-	\$51	\$59	\$33
MLS #	-	R914620	R910113	R915098
County	-	Monroe County	Monroe County	Monroe County
Tax Amount	\$0	\$2,652	\$2,238	\$2,473
Subdivision	-	-	-	-
School District	-	Rochester	Rochester	Rochester
Kitchen	-	Eat-In, Formal Dining Room Dryer, Microwave, Oven/Range Electric, Oven/Range Gas, Refrigerator, Washer	Eat-In Dishwasher, Disposal, Microwave, Oven/Range Freestanding, Refrigerator	Eat-In, Living/Dining Combo None
Basement	-	Finished, Full	Full	Full
Garage	-	2	1	1
Fireplace	-	1	0	0
Heat/AC	-	Gas, Ac Unit-Wall, Forced Air	Gas, Ac-Central, Electronic Air Filter, Forced Air, Humidifier	Gas, Ac-Central, Forced Air
Floors	-	Wall to Wall Carpet-Some	Hardwood-Some, Resilient-Some, Wall to Wall Carpet-Some	Resilient-Some, Wall to Wall Carpet-Some
Exterior	-	Aluminum/Steel	Composition	Vinyl

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# Side by Side Comparisons



Subject Property



Comparable #7



Comparable #8



Comparable #9



Address	495 Mount Read Blvd	192 Fairgate Street	1431 Lyell Avenue	193 Wetmore Park
City, State, Zip	Rochester, NY 14606	Rochester, NY 14606	Rochester, NY 14606	Rochester, NY 14606
Status	-	Sold	Sold	Sold
Bedrooms	3	2	3	3
Bathrooms	1	1	1	1
Sqft	1,414	1,008	1,232	1,158
Year Built	1920	1954	1920	1900
Property Type	Single-Family	Residential	Residential	Residential
Building Style	-	Ranch	Colonial	Ranch
Days on Market	-	71	21	12
List Price	-	\$39,900	\$39,900	\$35,000
Original List Price	-	\$44,900	\$39,900	\$35,000
% Of List Price	-	89%	85%	86%
Sold Price	-	\$35,500	\$34,000	\$30,000
Sold Date	-	04/08/2009	02/13/2009	01/25/2009
\$/SqFt	-	\$35	\$28	\$26
MLS #	-	R900533	R831503	R831658
County	-	Monroe County	Monroe County	Monroe County
Tax Amount	\$0	\$2,270	\$2,073	\$2,650
Subdivision	-	-	-	WETMORES AMD
School District	-	Rochester	Rochester	Rochester
Kitchen	-	Eat-In None	Eat-In, Formal Dining Room None	Eat-In, Formal Dining Room, Living/Dining Combo None
Basement	-	Full	Full	Full
Garage	-	0	2	0
Fireplace	-	1	1	0
Heat/AC	-	Gas, Ac-Central, Forced Air	Gas, Forced Air, Radiant	Other - See Remarks
Floors	-	Hardwood-Some, Resilient-Some, Wall to Wall Carpet-Some	Ceramic-Some, Hardwood-Some	Ceramic-Some, Hardwood-Some
Exterior	-	Brick, Stucco	Aluminum/Steel	Aluminum/Steel

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## Listing Averages

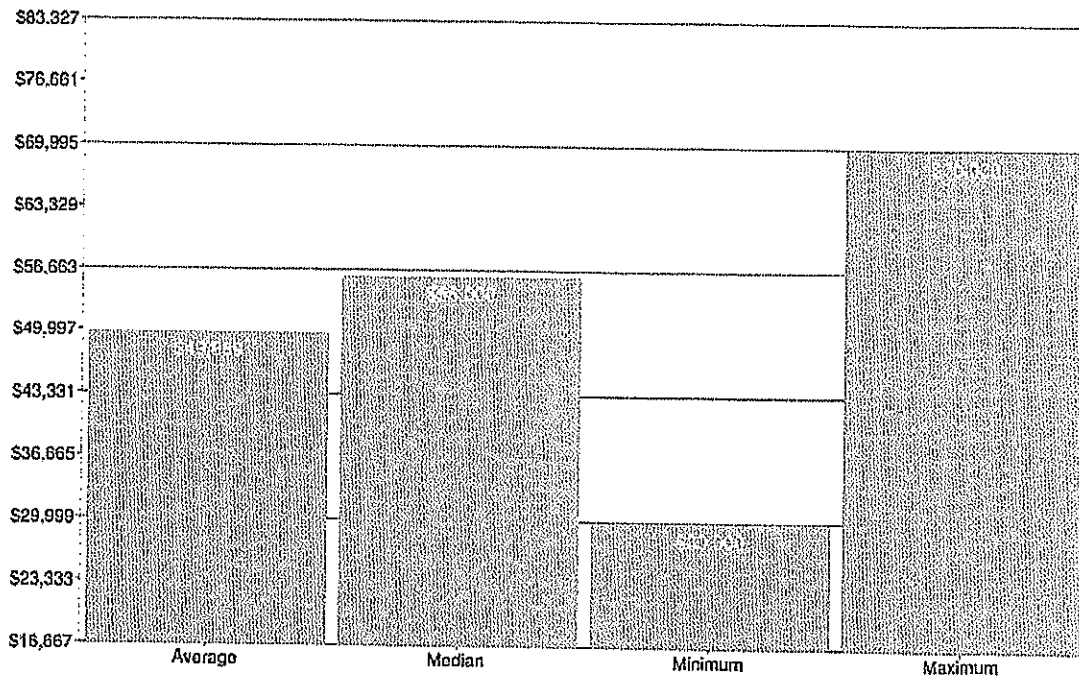


## Sold Properties (9)

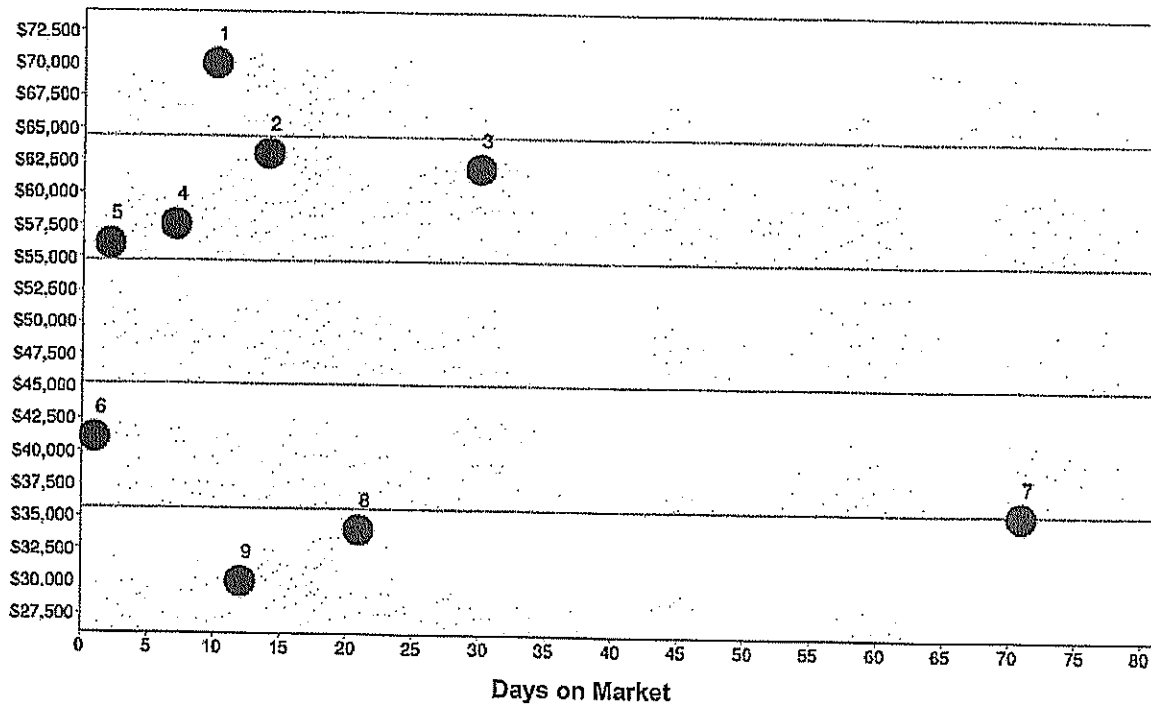
### Home Averages

Avg Beds	Avg Baths	Avg SqFt	\$/SqFt	Avg Lot SqFt	Avg Days
2.8	1.00	1,216	\$41	0	19

### Pricing



# Price & Days on Market



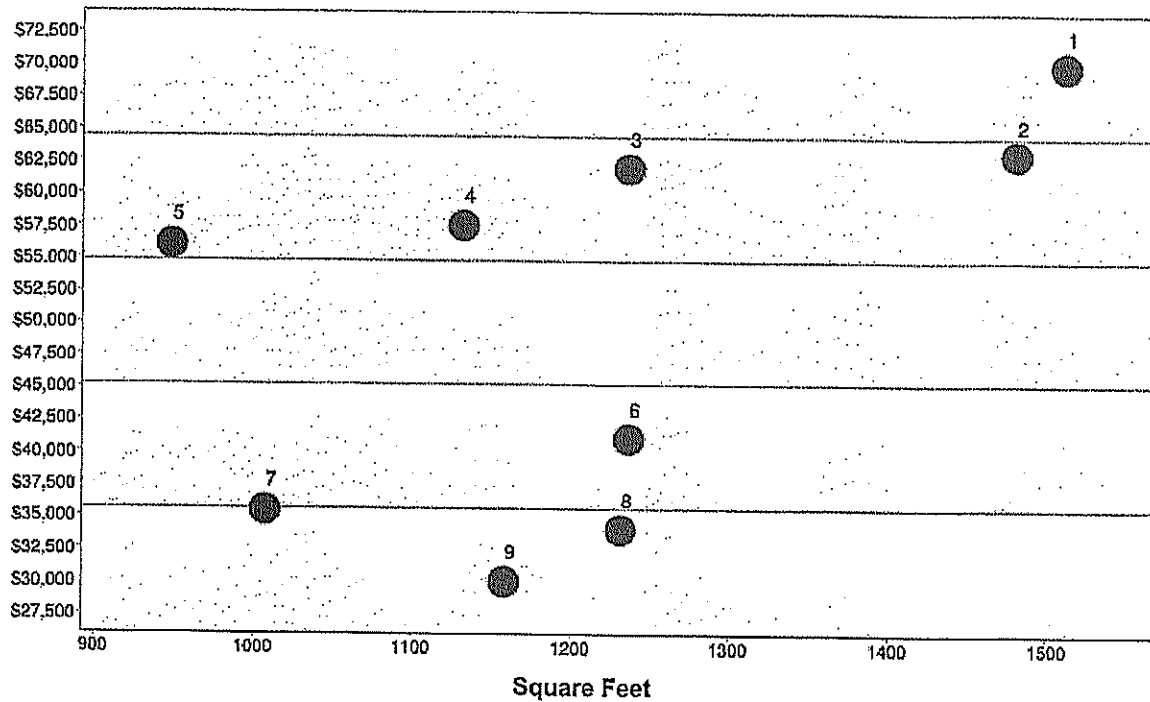
## Sold Properties

1. 94 Wetmore Park, Rochester	\$70,000	3 beds	2 baths	10 days
2. 267 Belknap Street, Rochester	\$63,000	2 beds	1.2 baths	14 days
3. 67 Fairgate Street, Rochester	\$62,000	4 beds	1 baths	30 days
4. 46 Maltby Street, Rochester	\$57,500	2 beds	1 baths	7 days
5. 591 Mt. Read Boulevard, Rochester	\$56,000	2 beds	1 baths	2 days
6. 67 Fairgate Street, Rochester	\$41,000	4 beds	1 baths	1 days
7. 192 Fairgate Street, Rochester	\$35,500	2 beds	1 baths	71 days
8. 1431 Lyell Avenue, Rochester	\$34,000	3 beds	1 baths	21 days
9. 193 Wetmore Park, Rochester	\$30,000	3 beds	1 baths	12 days

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## Price & Size



### Sold Properties

1. 94 Wetmore Park, Rochester	\$70,000	3 beds	2 baths	1,512 SqFt	\$46 / SqFt
2. 267 Belknap Street, Rochester	\$63,000	2 beds	1.2 baths	1,481 SqFt	\$43 / SqFt
3. 67 Fairgate Street, Rochester	\$62,000	4 beds	1 baths	1,237 SqFt	\$50 / SqFt
4. 46 Maltby Street, Rochester	\$57,500	2 beds	1 baths	1,132 SqFt	\$51 / SqFt
5. 591 Mt. Read Boulevard, Rochester	\$56,000	2 beds	1 baths	948 SqFt	\$59 / SqFt
6. 67 Fairgate Street, Rochester	\$41,000	4 beds	1 baths	1,237 SqFt	\$33 / SqFt
7. 192 Fairgate Street, Rochester	\$35,500	2 beds	1 baths	1,008 SqFt	\$35 / SqFt
8. 1431 Lyell Avenue, Rochester	\$34,000	3 beds	1 baths	1,232 SqFt	\$28 / SqFt
9. 193 Wetmore Park, Rochester	\$30,000	3 beds	1 baths	1,158 SqFt	\$26 / SqFt

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# Pricing Analysis



Approximate Market Value:

**Michael Furlano**  
495 Mount Read Blvd, Rochester, NY 14606

## Price Based on Average Sales

Average Price of Sold Comparable Properties	\$49,889
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## Price Based on Square Footage

Average \$/SqFt of Sold Comparable Properties	\$41.19
Square Footage of Subject Property	1,414
Price based on square footage of Subject Property	\$58,240

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# Karolyn Edwards



## Karolyn Edwards

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Office Phone: (585) 247-0440

As a lifelong Rochesterian I have a passion for real estate. Whether you are buying or selling I am committed to providing you with exceptional service. My goal is that you are 100% satisfied with the quality of the real estate services that I provide. If I achieve that goal you will want to refer me to all your friends, relatives and business acquaintances.

If you are looking for an agent who

- Puts you first
- Is knowledgeable to list and sell
- Knows Rochester and the surrounding area
- Is honest and ethical
- Is able to provide you with the state of the art technology in your home search

Very simply "Karolyn" is the agent for you. I get the job done!

Organizations:

- Girl Scout Troup Leader
- Active in South Side Little League
- Alumni of the Urban Suburban program

Education:

- Graduate of Wilson Magnet High School
- Attended of Everest Institute
- Attended of Monroe Community College

Specialties

- Buyers agent, Condo/TownHouse, First time Homebuyers, Luxury, New Construction, Residential, Single Family, Water front

**Always available when you need ME.**

**There every step of the way because your satisfaction is KEY.**

Designations

- Greater Rochester Association of Realtors
- National Association of Realtors
- New York State Association of Realtors

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**Karolyn Edwards**



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# EXHIBIT E



**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK**

---

**In re:**

**Chapter 7**

**LORRAINE S. ROBINSON  
Debtor.**

**Order  
Bk. No: 2-09-22452-JCN**

---

**UPON** the motion dated \_\_\_\_\_ of Debtor, Lorraine S. Robinson, by her attorneys, the Legal Aid Society of Rochester, NY, seeking an Order to to avoid a judgment lien held by Capital One Bank (USA), N.A., and any subsequent successor or assignee, on the Debtor's residence located at 495 Mt. Read Boulevard, Rochester, NY 14606, and

**WHEREAS**, the Court having had due deliberation thereon, and sufficient cause appearing therefore; it is

**ORDERED**, that the judicial lien entered on August 20, 2009 by Capital One Bank (USA), NA against Lorraine S. Robinson in the Monroe County Clerk's Office, in the amount of \$10,178.18, and indexed at 2009 CV 5764, and attached to Debtor's residence located at 495 Mt. Read Boulevard, Rochester, NY 14606 is cancelled and avoided in full; and it is further

**ORDERED**, that the Judgment Creditor will take the necessary steps to cancel said judgment lien on record by cooperating with the Debtor to the extent necessary to effectuate the purpose of this order, and lastly

**ORDERED**, that the presentment of this original Order to the Monroe County Clerk's Office for recording may be done without further notice to any party and shall be deemed sufficient on it's face.

IT IS SO ORDERED

Dated: \_\_\_\_\_ 2019  
Rochester, NY

---

Hon. Paul R. Warren  
*United States Bankruptcy Judge*

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK**

---

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IT IS SO ORDERED

Dated: \_\_\_\_\_ 2019  
Rochester, NY

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Hon. Paul R. Warren  
*United States Bankruptcy Judge*